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SIXTH COMMITTEE
Agenda item 146 (c)

UNITED NATIONS DECADE OF INTERNATIONAL LAW

Brunei Darussalam, Colombia, Guatemala, Italy, Kyrgyzstan, Malaysia, Mongolia, Nepal, Qatar, San Marino, Singapore, Slovenia, Solomon Islands, Sudan, the former Yugoslav Republic of Macedonia and Viet Nam: draft resolution

Draft guiding principles for international negotiations

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of cooperation among States,

Taking into account the objectives of the United Nations Decade of International Law,

Reaffirming the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[1]

Recalling Article 13, paragraph 1 (a), of the Charter of the United Nations, whereby the General Assembly is called upon to initiate studies and make recommendations for the purpose of promoting international cooperation in the political field and encouraging the progressive development of international law and its codification,

Proceeding from the fact that in their negotiations States are guided in general by the principles of international law,

[1] Resolution 2625 (XXV), annex.

Bearing in mind the increasing role that constructive and effective negotiations could play in attaining the noble purposes of the Charter of the United Nations by contributing to the management of international relations, the peaceful settlement of disputes and the creation of new international norms of conduct of States,

Convinced that the identification and harmonization of guiding principles for international negotiations would contribute to enhancing the predictability of negotiating parties, reducing uncertainty and promoting an atmosphere of trust at negotiations,

Convinced also that setting a minimum standard of conduct for negotiating parties could induce them to act in accordance therewith, as well as offer them some leverage for requiring other parties to act likewise,

Having considered the item entitled "Draft guiding principles for international negotiations",

1. Underlines the importance of conducting effective negotiations in managing international relations and the peaceful settlement of disputes as well as in the codification and progressive development of international law;

2. Takes note of the "Draft guiding principles for international negotiations" contained in document A/52/141;

3. Takes note also of the comments and proposals made during the consideration of the item, including the need for further consideration of the item to elaborate the above-mentioned principles;

4. Decides to refer the consideration of this item to the Working Group on the United Nations Decade of International Law;

5 Invites all States and relevant international organizations to submit to the Secretary-General, before 15 July 1998, comments and suggestions on the content of the draft guiding principles for international negotiations;

6. Requests the Secretary-General to transmit the comments and suggestions mentioned in paragraphs 3 and 5 above to the Working Group for its substantive consideration during the fifty-third session of the General Assembly;

7. Decides to include in the provisional agenda of its fifty-third session under the item entitled "United Nations Decade of International Law" the sub-item entitled "Draft guiding principles for international negotiations".